UNITED NATIONS

General Assembly

FORTY-SEVENTH SESSION

Official Records

FIFTH COMMITTEE
64th meeting
held on
Thursday, 8 April 1993
at 4.50 p.m.
New York

SUMMARY RECORD OF THE 64th MEETING

Chairman: Mr. ZAHID (Morocco)
(Vice-Chairman)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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AGENDA ITEM 145: FINANCING OF THE UNITED NATIONS OPERATION IN SOMALIA (continued)

UNOSOM II

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Distr. GENERAL
A/C.5/47/SR.64
13 August 1993
ENGLISH
ORIGINAL: SPANISH

93-80604 (E)

In the absence of the Chairman, Mr. Zahid (Morocco), Vice-Chairman, took the Chair.

The meeting was called to order at 4.50 p.m.

AGENDA ITEM 145: FINANCING OF THE UNITED NATIONS OPERATION IN SOMALIA (continued)

UNOSOM II (A/47/916; A/C.5/47/L.37)

1. The CHAIRMAN pointed out that, in the English version of paragraph 10 of draft resolution A/C.5/47/L.37, "in paragraph 8" should read "in paragraph 9".

2. Ms. ROTHEISER (Austria) proposed that the former Yugoslav Republic of Macedonia should be mentioned in paragraph 9 of the draft resolution.

3. The CHAIRMAN said he took it that the Committee wished to endorse the amendment proposed by Austria.

4. Mr. ELZIMAITY (Egypt) pointed out two errors in operative paragraphs 1 and 3 of the Arabic version of the draft resolution.

5. The CHAIRMAN said he took it that the Committee wished to adopt draft resolution A/C.5/47/L.37 without a vote.

6. Draft resolution A/C.5/47/L.37, as amended, was adopted.

7. Mr. INOMATA (Japan) said that his delegation had reluctantly joined in the consensus in order to facilitate the establishment of UNOSOM II. The Controller had stressed that the amount of the appropriation sought was not an approximation but represented as accurate an estimate as possible of the start-up cost of the operation. His delegation had taken note of that assurance and strongly urged the Secretariat to do its utmost to improve the quality of its estimates. It none the less wished to warn against the danger inherent in appropriating an arbitrary amount to finance the start-up of a peace-keeping operation.

8. Ms. ROTHEISER (Austria) said that her delegation had joined in the consensus on the understanding that the amount of $300 million which would be apportioned among Member States was a net amount, that the amount representing staff costs, yet to be determined, would be borne by the Member State concerned alone and that no other State would have to contribute to the cost of staff assessment for that particular operation or for subsequent operations. It was regrettable that the draft resolution adopted had not indicated whether the amount was a gross amount or a net amount. That being the case, it could not be considered a global amount. She recalled that the General Assembly had not yet taken a decision on the proposal to appropriate, in the initial phase of a peace-keeping operation, an amount equal to one third of the total budget of the operation. Hence, the decision that the Committee had just taken could not be considered a precedent.

9. Mr. MICHALSKI (United States of America) welcomed the adoption of the draft resolution, which had been preceded by a lengthy debate on the financing of peace-keeping operations. That subject was general and should not be considered in the context of a specific operation.

10. In his delegation's view, the appropriation of a global amount was acceptable when it came to financing the initial costs of a very large operation. However, the control mechanisms within the Secretariat should be strengthened to allay any fears that such an approach might cause to certain delegations. It would also be preferable for the Advisory Committee to submit its comments in writing in order to make the Committee's work easier. The procedures should be changed to ensure that no individual Member States would have to bear the cost of staff assessment.

11. Mr. KOCATÜRK (Turkey) said that Turkey, a troop-contributing country, was sure that the resources made available to UNOSOM II would enable it to take over from the Unified Task Force (UNITAF) and to contribute towards resolving the crisis in Somalia.

12. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions), referring to the statement by the United States representative to the effect that ACABQ should have submitted a written report, said that ACABQ had decided to make an oral report to the Fifth Committee only because it had been led to believe that time constraints did not permit it to do otherwise. It had been informed that the matter was urgent. It had therefore considered the Secretariat's proposals late into the evening before the day on which the Fifth Committee was scheduled to meet and consider the matter.

The meeting rose at 5.20 p.m.

UNITED NATIONS

General Assembly

FORTY-SEVENTH SESSION

Official Records

FIFTH COMMITTEE
65th meeting
held on
Monday, 19 April 1993
at 10 a.m.
New York

SUMMARY RECORD OF THE 65th MEETING

Chairman: Ms. ROTHEISER (Austria)
(Vice-Chairman)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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Distr. GENERAL
A/C.5/47/SR.65
16 August 1993

ORIGINAL: ENGLISH

93-80631 (E)

The meeting was called to order at 10.40 a.m.

TRIBUTE TO THE MEMORY OF TURGUT ÖZAL, PRESIDENT OF TURKEY

1. The CHAIRMAN, speaking on behalf of the Committee, paid tribute to the memory of the Turgut Özal.

2. At the invitation of the Chairman, the members of the Committee observed a minute of silence.

AGENDA ITEM 17: APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS (continued)

(j) Appointment of members and alternate members of the United Nations Staff Pension Committee (A/47/907 and Add.1)

3. The CHAIRMAN drew the Committee's attention to the note by the Secretary-General in documents A/47/907 and Add.1. The Secretary-General informed the General Assembly of the nomination by the Government of Tunisia of Mr. Tarak Ben Hamida to fill the unexpired portion of the term of office of Mr. Belhaj, who had resigned as an alternate member of the United Nations Staff Pension Committee.

4. She would take it that the Committee wished to recommend, by acclamation, to the General Assembly the appointment of Mr. Ben Hamida as an alternate member of the United Nations Staff Pension Committee for a term of office beginning on the date the General Assembly approved the appointment and ending on 31 December 1994.

5. It was so decided.

AGENDA ITEM 104: PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993 (continued)

Programme budget implications of draft resolution A/47/L.56 on agenda item 22 (A/47/7/Add.17 and A/C.5/47/93)

6. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the report of the Advisory Committee (A/47/7/Add.17), said that, following its consideration of the Secretary-General's statement of the programme budget implications of draft resolution A/47/L.56 (A/C.5/47/93), the Advisory Committee had exchanged views with the representatives of the Secretary-General on issues related to the statement. The Advisory Committee's report contained a number of observations concerning those discussions.

7. The Secretary-General indicated in his statement that the requirements for the mission to Haiti in 1993 would amount to $23,694,900 and that he did not propose that Member States be assessed for additional amounts. The budgetary implications might be changed, however, as a result of the current negotiations between the United Nations and the Organization of American States (OAS) concerning their respective shares of the mission's expenses under the various elements of expenditure.

8. Since assessment of the relevant amounts was not necessary at the current state, the Advisory Committee believed that the Secretary-General should be

(Mr. Mselle)

authorized to enter into further commitments of up to $18.1 million, pending a more detailed review in September 1993 of all aspects of the operation. The results of the negotiations with OAS on cost sharing would also be known at that time, and it should then be possible to determine the exact amount for which Member States would be assessed. Under those circumstances, the Advisory Committee recommended that the Secretary-General should be allowed the full commitment authority requested, subject to the conditions stated in its report.

9. Mr. INOMATA (Japan) said that his Government would welcome United Nations participation in the proposed international civilian mission to Haiti, in conjunction with OAS. Furthermore, Japan was prepared to make a voluntary contribution in cash of $1 million as an outright grant to the Trust fund for Haiti, on the understanding that the voluntary contributions made to the Trust Fund would be used to meet the expenses of the mission and be reflected as savings against the necessary amounts to be appropriated and assessed in accordance with the observations and recommendations of the Advisory Committee contained in paragraph 11 of its report (A/47/7 Add.17).

10. In addition, Japan would make available $1.5 million to meet the start-up requirements of the mission, utilizing part of the grant cash contributions which it had recently made to a United Nations general trust fund for common support services.

11. His delegation suggested that the Committee recommend to the Assembly that it should approve the Advisory Committee's observations and recommendations that it should authorize the Secretary-General to enter into further commitments of up to $18.1 million; that it should invite the Secretary-General to intensify efforts to solicit voluntary contributions and that it should urge Member States to respond to his efforts in order to help meet costs related to the mission and to ensure the necessary cash flow pending the assessment of the relevant amount.

12. Mr. BAHADIAN (Brazil) said that Brazil was fully committed to the promotion of democracy and human rights in Haiti and to the restoration of that country's legitimate Government. It therefore welcomed draft resolution A/47/L.56, on the participation of the United Nations in the proposed international civilian mission to Haiti, which was fully consistent with the need to revitalize the General Assembly, especially in respect of activities of an extraordinary nature, as recognized by the Secretary-General in his statement of programme budget implications (A/C.5/47/93, para. 17). Furthermore, the resolution pointed the way to a more purposeful form of cooperation between the United Nations and regional organizations, which could serve as a useful model for implementation in other conflict areas in the world.

13. His delegation concurred with the Advisory Committee's observations and recommendations and hoped that all Member States, particularly those in a strong financial position, would contribute to the Trust Fund for Haiti established by the Secretary-General.

14. Mr. OSELLA (Argentina) said that he shared the view just expressed by the representatives of Japan and Brazil that the international civilian mission to Haiti was important to the United Nations and should be launched without delay, since the fate of the people of Haiti as well as universally endorsed democratic values were at stake.

(Mr. Osella, Argentina)

15. Since it was not possible at the current stage to calculate the exact funding requirements for the mission, his delegation supported the Advisory Committee's recommendations (A/47/7/Add.17, para. 11) that the Secretary-General should be authorized to enter into further commitments of up to $18.1 million. It looked forward to the Secretary-General's report on the expanded operational plan.

16. Mr. MERIFIELD (Canada) said that his delegation supported the action of the United Nations aimed at resolving the situation in Haiti. Such initiatives should in future constitute, where appropriate, one of the principal activities of the Organization.

17. While it welcomed the endorsement by the Advisory Committee of the request by the Secretary-General and looked forward to a comprehensive report in September 1993 on the actual cost of the mission, his delegation would have been prepared at the current stage to endorse the recommendation of the Secretary-General for the formal appropriation of the amount requested. That amount represented an extraordinary expense and as such should be dealt with outside the procedures related to the Contingency Fund.

18. Ms. SHENWICK (United States of America) said that her delegation strongly supported the Secretary-General's proposals. The mission in Haiti should be funded from the regular budget of the Organization not only to ensure its viability, but also because of the implications for future funding of activities from the regular budget. The Organization's regular budget must be flexible enough to accommodate the changing needs and priorities of the international community and must represent the diverse spread of the interests of its Members. The operation in Haiti was important to the United States because of the particular mandate of the mission and because it demonstrated the growing importance which the Organization attached to peace-building activities, as opposed to the often burdensome responsibilities of peace-keeping.

19. She noted that the Advisory Committee had had no technical objections to the Secretary-General's request and therefore considered that the request should be approved by the Fifth Committee at its current session.

20. The CHAIRMAN suggested that, based on the programme budget implications submitted by the Secretary-General, and on the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution contained in document A/47/L.56, the Secretary-General would be authorized to enter into further commitments of up to $18.1 million; the appropriation for the year 1993 and the related assessment would be determined in the light of a report of the Secretary-General to be presented to the General Assembly in September 1993.

21. Ms. SHENWICK (United States of America) said that a commitment authority alone was not sufficient for the operation in question. If the Committee could not resolve the matter at the current time, she would suggest that the meeting be adjourned and the issue discussed in informal consultations.

22. Mr. INOMATA (Japan) said that the Committee should recommend to the General Assembly that it approve the recommendation of the Advisory Committee to authorize the Secretary-General to enter into further commitments of up to $18.1 million. The General Assembly should also be invited to urge the

(Mr. Inomata, Japan)

Secretary-General to intensify his efforts to collect voluntary contributions to the Trust Fund and to ensure the necessary cash flow, pending the final assessment of contributions.

The meeting was suspended at 11.10 a.m. and resumed at 12.50 p.m.

23. The CHAIRMAN said that in the informal consultations just held a consensus had been reached on a decision. She therefore suggested that, on the basis of the statement of programme budget implications submitted by the Secretary-General and the Advisory Committee's recommendations, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/47/L.56, expenditures amounting up to $19,112,600 might arise and the Assembly would be required to authorize the Secretary-General to enter into further commitments not exceeding $18.1 million. As an exceptional measure, actual regular budget requirements for 1993 and any additional assessment for the regular budget for the biennium 1992-1993 would be considered in the light of the report to be submitted by the Secretary-General to the Assembly in September 1993. In addition, the Trust Fund for Haiti would be administered in accordance with the recommendations and observations made by the Secretary-General and the Advisory Committee and Member States would be invited to respond positively to the Secretary-General's appeal for voluntary contributions.

24. She would take it that the Committee wished to inform the Assembly accordingly.

25. It was so decided.

26. Mr. STITT (United Kingdom) said that his delegation welcomed the Committee's decision as it represented the most sensible approach in a context of considerable uncertainty over the exact financial needs of the mission. The Secretary-General's performance report on the mission scheduled for September would enable the Organization to take more definitive decisions on financing, and his delegation assumed that there would be no need for additional appropriations under the regular budget during the current biennium, since the need for such appropriations would only become clear in the light of the mission's progress during its first four months.

27. Mr. INOMATA (Japan) said that his delegation was concerned by the failure of the General Assembly, on occasions in the past, to take action on recommendations made by the Fifth Committee. As the Committee was a body of the General Assembly, its recommendations should be acted on by the Assembly. He hoped, therefore, that the appropriate steps would be taken to avoid such omissions in the future.

28. The CHAIRMAN said that the Secretary of the Committee and the Rapporteur had taken note of the concerns expressed by Japan.

The meeting rose at 1.05 p.m.

UNITED NATIONS

General Assembly

FORTY-SEVENTH SESSION

Official Records

FIFTH COMMITTEE
66th meeting
held on
Wednesday, 21 April 1993
at 4 p.m.
New York

SUMMARY RECORD OF THE 66th MEETING

Chairman: Mr. ZAHID (Morocco)
(Vice-Chairman)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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AGENDA ITEM 103: REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS* (continued)

AGENDA ITEM 104: PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993* (continued)

Revised estimates resulting from the restructuring of the Secretariat (continued)

* Items considered together.

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Distr. GENERAL
A/C.5/47/SR.66
01 June 1993

ORIGINAL: ENGLISH

93-80660 (E)

In the absence of the Chairman, Mr. Zahid (Morocco), Vice-Chairman, took the Chair.

The meeting was called to order at 4.45 p.m.

AGENDA ITEM 104: PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993 (continued)

Revised estimates under section 31: Establishment of seven United Nations interim offices (continued) (A/C.5/47/89 and A/47/7/Add.16)

1. The CHAIRMAN invited the Committee to resume its consideration of the revised estimates under section 31 concerning the establishment and operation of seven United Nations interim offices pursuant to General Assembly resolution 47/219. He understood that, following consultations among interested delegations, tentative agreement had been reached on the following draft decision, the text of which had been distributed to members of the Committee:

"The Fifth Committee recommends that the General Assembly:

(a) Endorse the observations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph 11 of its report (A/47/7/Add.16);

(b) Request the Secretary-General to ensure that his proposals relating to the structure, functions and activities of the seven United Nations interim offices referred to in his report (A/C.5/47/89) fully comply with the mandates of the relevant General Assembly resolutions pertaining to operational activities and dissemination of information, in particular, resolutions A/47/199 and A/47/73, taking into account the specific needs of each country;

(c) Decide that the report to be presented by the Secretary-General in conformity with paragraph 6 of its resolution 47/73 B be submitted also to the Second Committee for its consideration and recommendations;

(d) Take note of the provisional and exceptional arrangements now in place, undertaken by the Secretary-General, and stress that they may continue until the General Assembly has taken a policy decision on this matter at its 1993 regular session."

2. If he heard no objection, he would take it that the Committee wished to recommend the draft decision to the General Assembly for adoption.

3. It was so decided.

Granting of travel assistance to least developed and other developing countries that are members of the United Nations Commission on International Trade Law (continued) (A/C.5/47/CRP.1; A/46/349 and A/47/454)

4. The CHAIRMAN suggested that, since no agreement appeared to have been reached on the question of the granting of travel assistance to least developed and other developing countries that were members of the United Nations

(The Chairman)

Commission on International Trade Law, consideration of the matter should be deferred until a later date.

5. It was so decided.

Honoraria payable to members of organs and subsidiary organs of the United Nations (continued) (A/C.5/47/45 and A/47/7/Add.10; A/C.5/46/12 and A/46/7/Add.8).

6. The CHAIRMAN suggested that, because of the lack of time, the Committee should recommend to the General Assembly that consideration of the question of honoraria payable to members of organs and subsidiary organs of the United Nations should be deferred until its forty-eighth session.

7. It was so decided.

AGENDA ITEM 147: PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991 (continued)

Final appropriations for the biennium 1990-1991 (continued) (A/C.5/47/77/Add.1 and Add.1/Corr.1 and A/47/915 and Corr.1).

8. The CHAIRMAN drew attention to the second report of the Secretary-General on the final appropriations for the biennium 1990-1991 (A/C.5/47/7/Add.1 and Add.1/Corr.1) and the related report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) (A/47/915 and Corr.1).

9. Mr. DUVAL (Director, Budget Division), responding to the request made at an earlier meeting by the representative of the Netherlands for additional information and clarifications regarding the Secretary-General's policy with regard to additional expenditures in respect of supernumerary staff in connection with the programme budget for the biennium 1990-1991, said that recommendation 15 of the Group of 18 had called for a 15 per cent reduction in posts in the Secretariat over a period of three years. In his revised estimates submitted to the General Assembly in 1988, the Secretary-General had proposed a reduction of 1,465 posts - 14 high-level posts, 472 Professional posts and 979 General Service posts - which represented some 13 per cent of the total number of posts, with some adjustments.

10. Following the review of the Secretary-General's proposals, the General Assembly had adopted resolution 43/213, which called for a reduction of 1,365 posts, 449 of which were in the Professional category, as a target to be reached by the end of the biennium. It had been agreed at the time that the reduction of staff would be effected by attrition or by an agreed termination of the services of the staff affected by the abolition of posts. In line with that policy, the staff affected had been offered terms for agreed termination which had been set at the maximum level, in other words, the Secretary-General had used his discretionary power and offered to increase the lump sum to which they were entitled by 50 per cent. Those who had not wished to separate from the service had been allowed to remain on board, but, in order to expedite the reduction, other staff members who were prepared to accept the terms offered by

(Mr. Duval)

the Secretary-General had been allowed to resign in order to free posts against which staff whose posts had been earmarked for abolition could be placed.

11. Notwithstanding that policy, at the end of 1989, there were still 232 staff members carried on the staffing table approved by the General Assembly who no longer had posts: 68 Professional staff - 16 at the D-1/D-2 level and 52 at the lower level - and 164 General Service staff.

12. It had been decided that in order to reduce the number of supernumerary staff, efforts would continue to be made either to offer them an agreed termination or to place them against vacant posts for which they were qualified. The problems of maintaining a large number of staff with no posts budgeted for them had, however, to be solved from both the financial and organizational points of view. On the financial side, it had been determined that, if an agreed termination were offered to all staff still remaining on board, separation costs would amount to some $18 million at 1990 rates, or $19.8 million at current rates. On the other hand, if roughly half of the supernumerary staff were to remain on board, the costs for 1990-1991 would be of the order of $13 million. Thus, it would be less costly if not all the supernumerary staff were separated outright and if the existing policy of trying to place them in suitable vacant posts were to be continued. The vacancy rates had been closely monitored to ensure that their presence on board did not affect salary and common staff costs.

13. From the personnel point of view, supernumerary staff had from the outset been assigned to units which could use their services. In many cases they had continued to perform the same functions they had been performing, while in others they had been assigned to new functions in other departments on a trial basis. In all cases, the staff in question were reporting to a supervisor and performing regular functions under the budget.

14. The number of supernumerary staff had continued to decline in the course of 1990, but had increased to 62 - 30 Professional and 32 General Service posts - following the decision by the General Assembly at its forty-fourth session to close the Office of the Commissioner for Namibia. As of 1 April 1993, 19 supernumerary staff were still on board - 8 in the Professional category and 11 in the General Service category.

15. It was not a deliberate policy on the part of the Secretariat to keep staff on board without posts; rather, it reflected difficulties encountered by the Secretariat in implementing the post reductions decided on by the General Assembly at its forty-third session.

16. Mr. SPAANS (Netherlands) said that his delegation would be grateful if the text of Mr. Duval's statement could be made available to all delegations. He would be interested to know who had taken the decision to keep the supernumerary staff on board and whether the General Assembly had been involved in that decision. He also wished to know whether, after leaving the United Nations, any of the supernumerary staff had been employed as consultants or had received payments from the United Nations in any other capacity.

(Mr. Spaans, Netherlands)

17. With regard to the supernumerary staff who continued to perform the same functions, even though their posts had been abolished in the reduction exercise, his delegation would like to know whether that situation had any impact on the implementation of mandated activities. The Secretariat might also inform the Committee whether it had a deliberate policy to reduce the number of supernumerary staff as soon as possible.

18. At the earlier meeting, he had also asked why supernumerary staff had not been mentioned in any of the previous performance reports on the 1990-1991 biennium. He noted, moreover, that there was no reference to such staff in the first performance report on the 1992-1993 biennium and he would be grateful if the Secretariat could provide information about the costs of maintaining the 19 supernumerary staff under the regular budget. He noted that the amount of $9.5 million which he had calculated for the biennium 1990-1991 was approximately the amount that the Secretary-General would like the Committee to appropriate and assess on Member States. Lastly, he would be grateful if information could be provided on the number of supernumerary staff at the end of the 1990-1991 biennium.

19. Mr. JAKUBOWSKI (United States of America) said that, because of serious questions and concerns that his Government had about the validity of the methodology used to calculate the staff assessment, his delegation, in advance of any decision that would be taken, wished to dissociate itself from that decision.

20. Mr. DUVAL (Director, Budget Division) said that he would have a note distributed which would include a breakdown by section of the posts which had been affected by the post-reduction exercise and a comparison of the number of staff on board at 1 January 1990 and 1 April 1993.

21. In response to the additional questions raised by the representative of Netherlands, he noted that the decision to keep supernumerary staff on board at the beginning of 1990 was in line with a direct decision taken by the Secretary-General that no staff would be dismissed and that the reduction of posts mandated by the General Assembly would be effected by attrition or by agreed termination. Compared to the very high goal set for the end of the biennium, the proportion of staff remaining unplaced at the end of the biennium was comparatively small. He did not believe that supernumerary staff who had left the service of the United Nations were used as consultants, but he would check the situation further. As for the supernumerary staff who continued to carry out their functions, that was the easiest way to accommodate such staff pending their placement in other posts. The impact on mandated activities was not detrimental since the units which included some of those staff members essentially had extra staff to carry out activities which they had been mandated to implement.

22. As to what was perceived by the representative of Netherlands as a lack of transparency, it should be clear from a review of document A/C.5/46/46/Add.1 that there had been no attempt to hide the fact that, in the course of the biennium 1990-1991, the number of supernumerary staff had significantly affected budget performance.

(Mr. Duval)

23. The payroll cost of supernumerary staff still on board was estimated at about $2 million for the biennium, unless they were placed against vacancies - a very likely possibility, given the very limited number still on board.

24. Mr. SPAANS (Netherlands) said that it was difficult for his delegation to analyse the information it had been given and he suggested that, in view of the financial implications, a decision on the matter should be deferred so that delegations could study the information provided.

25. The CHAIRMAN said that, if he heard no objections, he would take it that the Committee agreed to that suggestion.

26. It was so decided.

AGENDA ITEM 103: REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS (continued)

AGENDA ITEM 104: PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993 (continued)

Revised estimates resulting from the restructuring of the Secretariat (continued)

Draft resolution A/C.5/47/L.36

27. The CHAIRMAN, introducing draft resolution A/C.5/47/L.36, said that the text expressed the Committee's agreement with the main orientations of the restructuring of the Secretariat in the economic and social fields, as proposed by the Secretary-General, and its adoption would reflect the Committee's belief that restructuring would enable the Organization to implement more fully and efficiently the mandates entrusted to it by Member States. The draft resolution also included recommendations to the Secretary-General regarding the implementation of the structural reforms which he had proposed, in particular in the context of the preparation of the proposed programme budget for the biennium 1994-1995. The text represented a consensus which had been achieved after long and difficult negotiations. He recommended its adoption without a vote.

28. Draft resolution A/C.5/47/L.36 was adopted.

29. Ms. ROTHEISER (Austria), explaining her delegation's position, said that it regretted the transfer of the social development units from Vienna to New York, where those activities would be incorporated into one of the three new economic departments, and hoped that the abolition of the social development nucleus in Vienna would not have negative effects on programmes. On the other hand, it welcomed the transfer of activities relating to the peaceful uses of outer space to Vienna.

30. With regard to the venues of the intergovernmental bodies whose secretariats were affected by the current restructuring, her delegation wished to emphasize the headquarters rule as established in resolution 40/243, mention of which was made in paragraph 10 of the draft resolution.

(Ms. Rotheiser, Austria)

31. Despite its difficulties regarding the transfer of social development activities to New York, her delegation had joined the consensus in a spirit of cooperation with the Secretary-General and in the light of his commitment to maintain the status of Vienna as a main headquarters centre of the United Nations and to propose additional activities which would benefit from a relocation to Vienna in the context of the proposed programme budget for the biennium 1994-1995. Her delegation looked forward to the proposals which the Secretary-General would submit in that connection, as requested in paragraph 13 of the draft resolution.

32. Her delegation attached particular importance to paragraph 19 (h) of the draft resolution and looked forward to receiving information on all additional costs incurred as a result of the restructuring, including costs for office space.

33. Mr. KLINGENBERG (Denmark), speaking on behalf of the European Community and its member States, said that the European Community fully supported the Secretary-General in the restructuring process and recognized his prerogatives in the matter. The ongoing dialogue between the Secretary-General and the General Assembly was of the utmost importance to that process.

34. The Twelve understood the difficulties which some delegations had with restructuring, and hoped that the understanding was mutual. The negotiations on the draft resolution had been unnecessarily prolonged, in part owing to problems relating to the timely issuance of documentation by the Secretariat. Consensus implied that all parties had to make concessions and he appealed to all delegations to show flexibility and to refrain from introducing new ideas that were not of immediate relevance during the later stages of the process.

35. Mr. LADJOUZI (Algeria) said that his delegation had expressed doubts regarding the first and second phases of the current restructuring process, and therefore welcomed several aspects of the draft resolution just adopted. The renewed emphasis on the dialogue between the Secretary-General and the Secretariat, on the one hand, and the General Assembly, on the other, would underline the democratic nature of the United Nations.

36. His delegation also attached special importance to the maintenance of the post of the Director of Habitat at the Under-Secretary-General level and of the four high-level posts in the Department of Administration and Management. His delegation attached particular importance to the posts of the Director of Habitat, the Controller and the head of the Office of Conference Services. The level of the post of head of the Office of Human Resources should be reviewed during the discussion of personnel questions.

37. With regard to paragraphs 11 and 12 of the draft resolution, his delegation awaited with interest the specific proposals to be presented in the context of the proposed programme budget for the biennium 1994-1995 to raise the status of the United Nations centre at Nairobi.

38. His delegation was not convinced of the advisability of transferring programmes for science and technology for development to the Centre for

(Mr. Ladjouzi, Algeria)

Transnational Corporations. According to its understanding of the draft resolution, the General Assembly would recommend to the Secretary-General that the distinct character of those programmes should be maintained. It welcomed the efforts towards the elaboration of an international convention to combat desertification, particularly in Africa, and believed that a separate unit within the Secretariat and adequate resources were essential to the success of that activity.

39. Mr. KARBUCZKY (Hungary) said his delegation hoped that any future restructuring would take place with a greater degree of consultation between the Secretary-General and Member States. With regard to paragraph 3 (a) of the draft resolution, it hoped that the post of Controller and the other high-level posts in the Department of Administration and Management would remain at the Assistant Secretary-General level. His delegation was concerned that the dismantling of the social development nucleus at Vienna might prove to be a costly mistake, and hoped that the Vienna centre would be reinforced through other activities.

40. Mr. JAKUBOWSKI (United States of America) said that his delegation was pleased to join the consensus on the draft resolution. It supported the reforms and looked forward to the next phase of what should be an ongoing process of self-examination in order to maintain the efficiency and productivity of the Secretariat and to respond to changing needs.

41. Ms. ERIKSSON FOGH (Sweden), speaking on behalf of the five Nordic countries, said that their interpretation of paragraph 9 of the resolution was quite broad, and that the upcoming deliberations of the Governing Council of the United Nations Development Programme (UNDP) on the status of the Office for Project Services would be of the utmost importance. The Nordic countries looked forward to the Secretary-General's report on the proposed new Department of Development Support and Management Services and its financial implications.

42. Mr. DAMICO (Brazil) commended delegations for their flexibility in arriving at the consensus text and expressed his delegation's appreciation for the guidance and recommendations of ACABQ and representatives of the Secretariat.

43. Mr. FRANCIS (Australia) said that the adoption of the draft resolution by the General Assembly should assure the Secretary-General that he had received its endorsement for the second phase of the restructuring, which should increase the Organization's efficiency in meeting the increasing demands in the areas of peace-keeping and humanitarian assistance.

44. Mr. ELZIMAITY (Egypt) said that his delegation had joined the consensus on the understanding that the controversial aspects of the Secretary-General's report (A/C.5/47/88) about which reservations had been expressed during the debate would not be used as a reference to explain programme mandates in the future, and that the necessary resources would be allocated for development, especially in Africa.

45. Mr. STITT (United Kingdom) said that his delegation fully endorsed the statement by the representative of Denmark on behalf of the European Community and its member States. With reference to paragraph 3 (b) of the resolution, however, his delegation felt that it would be undesirable in principle for the General Assembly to intervene in the consultations regarding the appointment of the Executive Director of the International Trade Centre. The proper level for that post should be agreed in advance.

46. Mr. INOMATA (Japan) said that the draft resolution struck a balance between the efforts of the General Assembly and the Secretary-General. The renewed dialogue was most welcome. His delegation fully supported the Secretary-General's efforts to improve cost-effectiveness, and it looked forward to the programme budget proposals for the biennium 1994-1995 with regard to the economies of scale that could be realized.

47. Mr. MERIFIELD (Canada) said that his Government fully supported the view that the Secretary-General had prime responsibility for the organization of the Secretariat. His delegation also supported the view of the Nordic countries in respect of paragraph 9 and agreed with the representative of Australia regarding the importance of administrative support for peace-keeping operations and humanitarian assistance.

48. Mr. BEN HAMIDA (Tunisia) said that his delegation supported the Secretary-General's restructuring efforts in order to attain the objectives set by the General Assembly for greater efficiency and improved programme execution. It also agreed with the reaffirmation of the priorities of the medium-term plan in paragraph 7 of the draft resolution. The momentum must be maintained in the dialogue between the Secretary-General and the General Assembly.

49. With regard to paragraphs 11 and 12 of the draft resolution, his delegation supported maintaining the centre at Vienna and would welcome specific proposals regarding the status of Nairobi. It also hoped that economies of scale would be reflected in the proposed programme budget for the biennium 1994-1995. His delegation welcomed paragraph 19, in particular subparagraph (b) relating to the provision of adequate resources for programmes on the development of Africa, the least developed countries and activities on the protection of the climate and the elaboration of a convention to combat desertification.

50. Mr. SPAANS (Netherlands) said that his delegation supported the statement made by the representative of Denmark on behalf of the European Community and its member States. In addition, it welcomed the transfer of the Office for Project Services to the United Nations. That decision would allow the Governing Council of UNDP to focus on the modalities for the transfer, taking into account the recommendations of the task force mentioned in paragraph 103 of the Secretary-General's report (A/C.5/47/88).

51. Mr. TANG Guangting (China) said that the restructuring currently under way was among the most important events in United Nations history. The final objective of the process should be to enhance the efficiency and effectiveness of the United Nations so that it could meet the new challenges it faced, particularly with regard to the economic problems of developing countries.

(Mr. Tang Guangting, China)

52. His delegation had joined the consensus in a spirit of cooperation and in the hope that after the second phase of the restructuring, the enhanced efficiency and effectiveness of the Organization would lead to improved implementation of programme activities during the forthcoming biennium, particularly in the priority areas of the developing countries.

53. Mr. SIKKANDER (Sri Lanka) welcomed the consensus on the draft resolution and fully supported the restructuring efforts.

54. Mr. DANKWA (Ghana) said that the draft resolution dissipated whatever confusion might appear to surround the areas of responsibility of the various organs of the United Nations. Moreover, during the process that had led to its adoption, a useful channel had been opened up that would ensure a more fruitful dialogue between the Secretariat and the General Assembly. The resolution envisaged an impressive transformation of the Organization whereby the Secretariat would help to ensure that the United Nations adopted a more integrated approach in achieving its purposes. There was a recognition that there could be no peace without development, and that the United Nations would pursue economic and social change, not as a means in itself, but as a means of achieving peace and a new world order.

55. His delegation welcomed the Secretary-General's commitment referred to in paragraph 17. In connection with paragraph 10, he stressed that the Secretariat would implement the legislative mandates of intergovernmental bodies, but would not determine what kind of mandates should come from such bodies. Paragraph 10 provided an opportunity for the intergovernmental bodies whose secretariats were affected by the current restructuring to ensure that their efficiency was not compromised.

56. Mr. SENGWE (Zimbabwe) said that his delegation welcomed the adoption of the draft resolution by consensus. It believed that it would go a long way towards enhancing the efficiency and effectiveness of the Organization.

Draft decision

57. The CHAIRMAN read out the following draft decision which had been drawn up during informal consultations.

> "Recalling its resolution 45/249 on conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly, which, inter alia, reaffirmed that the conditions of service of officials, other than Secretariat officials, serving the General Assembly shall be separate and distinct from those of officials of the Secretariat;
>
> "Noting that the Staff Rules and Regulations are not therefore necessarily applicable to these officials;
>
> "Requests the Secretary-General to provide appropriate background information to be considered at its forty-eighth session."

58. Mr. STITT (United Kingdom) asked what the status of the draft decision was, and whether the Committee could have the text in writing.

59. Mrs. EMERSON (Portugal) said that it seemed highly unusual for the Committee to take action on a draft decision which had not been translated into the other official languages.

60. Mr. BAUDOT (Controller) said that it had happened in the past that a decision had been adopted by the General Assembly on the basis of an original text and simultaneous interpretation. That course of action required the consent of the General Assembly.

61. Mr. INOMATA (Japan) said that, at its 65th meeting, the Committee had adopted a draft decision even though no written text had been circulated.

62. Mr. STITT (United Kingdom) agreed that the Committee had been taking decisions in an increasingly informal way. In the past, his delegation and others had had to ask for the circulation of the text of draft decisions of an even more routine nature on some of the more detailed agenda items under consideration. He suggested that members should be given a few minutes to consider the text.

The meeting was suspended at 6.20 p.m. and resumed at 6.35 p.m.

63. The CHAIRMAN said he understood that the text of the draft decision had now been circulated. If he heard no objection, he would take it that the Committee wished to adopt it without a vote.

64. The draft decision was adopted.

65. Mr. STITT (United Kingdom) said that the decision was the product of recent work in thinly attended informal meetings, but that it touched on issues that were a potentially valid subject of concern for the Committee and the General Assembly. It had been clear that several delegations felt very strongly about the issues dealt with, albeit indirectly, in the text. His delegation was not convinced that the consensus was soundly based, and hoped that the Committee's haste in taking action would not lead to confusion and misunderstanding at a later stage. In associating itself with the consensus, his delegation was not taking any position as to when (at which session) it would be possible to conclude the process which was now being started. While there was, indeed, some urgency, the issue was a serious one and it should not be tackled in undue haste.

66. Mr. SPAANS (Netherlands) said that his delegation had no difficulties with the substance of the decision. However, his delegation had not been aware of any announcement of an informal meeting that afternoon and had only informally been aware that "informal" informal consultations had taken place. It did not feel that the way in which the decision had been taken should set a precedent of any kind. In future, the Committee should take decisions in the normal way, and there should be no reference to "informal" consultations of which only a few delegations were aware.

67. Mr. DAMICO (Brazil) said that it was his delegation's understanding, in accordance with General Assembly resolution 45/249, that the Staff Rules and Regulations should not necessarily apply to non-Secretariat officials of the United Nations, since Secretariat officials had distinct responsibilities in respect of the supervision of decisions of the Chief Executive Officer, non-Secretariat officials should not be subject to the rules applicable to United Nations staff, since that would compromise their independence and capacity for judgement. Although they received financial compensation from the United Nations, that should not ipso facto make them part of the staff of the United Nations. They should answer only to the General Assembly, which had elected them.

68. His delegation valued the balance between the principal organs of the United Nations, which derived directly from the Charter, and hoped that future decisions of the General Assembly would not infringe on that basic principle.

69. Mr. LADJOUZI (Algeria) said that his delegation had no difficulty with the decision that had just been adopted. It wished to stress that the Staff Rules and Regulations were not applicable to the Chairman of the Advisory Committee or the Chairman of the International Civil Service Commission, who were responsible only to the deliberative bodies of the United Nations.

70. Ms. ROTHEISER (Austria) said that her delegation fully shared the understanding of the representative of Brazil.

71. Mr. TANG Guangting said that, in a spirit of cooperation, his delegation had reluctantly joined in the consensus. The text had been submitted under agenda items 103 and 104 after several weeks of negotiation and consultation, but was not, in fact, related to those items. His delegation felt that the Committee had been rather rash in taking the decision. It continued to believe that the draft decision had been submitted under the wrong agenda item and at the wrong time.

72. Mr. JAKUBOWSKI (United States of America) said that his delegation felt that the decision represented a very large step forward, which addressed a potential vacuum that existed in the functioning of the United Nations. It looked forward to a full exchange of views on the issue at the next session of the General Assembly. His delegation was strongly in favour of maintaining, and if necessary strengthening, the independence of non-Secretariat officials. Problems could arise if persons who were supposed to be independent owed their fiscal welfare to the Organization. There were many possible solutions which could be considered. His delegation hoped that, in the interim, the officials in question would choose to abide by the Staff Rules and Regulations.

73. Mr. ONWUALIA (Nigeria) said that his delegation had difficulties with the decision but had joined in the consensus in a spirit of cooperation. It supported the comments by the representative of Brazil and agreed with the representative of the United Kingdom that the Committee should not rush to take a decision until it clearly understood the issue.

74. Mrs. EMERSON (Portugal) said that her delegation was concerned about the introduction of ideas which were of no immediate relevance to the matter under consideration by the Committee. That approach made it very difficult for the Committee to reach decisions on the important issues it should be addressing.

75. Mr. DANKWA (Ghana) said that his delegation had joined in the consensus because of the importance of the decision, which set the stage for the General Assembly to complete the exercise begun in resolutions 45/249 and 45/250. It was his delegation's understanding that non-Secretariat officials who served the General Assembly were full-time officials, within the meaning of those resolutions.

76. His delegation did not regard the decision as an amendment to resolution 45/249, which provided for a review of the compensation and other conditions of service of non-Secretariat officials at the fiftieth session. It did not share the view that the decision implied that all emoluments of the officials in question would be reviewed or that the payment of emoluments by the Organization would necessarily compromise the independence of those officials. It was not the intent of the decision to put those officials under the authority of the Secretary-General; they would remain under the authority of the General Assembly. The decision sought to fill a vacuum that had existed since the adoption of General Assembly resolution 45/249.

77. Mr. SENGWE (Zimbabwe) said that his delegation had been reluctant to take action on the draft decision, but had supported it in a spirit of consensus and with the understanding explained by the representative of Brazil.

78. Mr. GATHUNGU (Kenya) said that his delegation had joined in the consensus and wished to identify itself with the views expressed by the representative of Brazil.

The meeting rose at 7 p.m.